

Bank of America and The Durst Organization Close Deal To Co-Develop and Anchor 2.1-Million-Square-Foot Tower

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NEW YORK, Dec. 22 /PRNewswire-FirstCall/ -- Bank of America has formally concluded a dual agreement with The Durst Organization to develop the first major midtown Manhattan office project of the new century.

The agreement is expected to create thousands of new construction-related jobs in midtown and expand the boundaries of "green" development.

Under the agreement, Bank of America and Durst, as equal partners, will co-develop the 2.1-million-square-foot Bank of America Tower at One Bryant Park on West 42nd Street. The financial services company will become the tower's primary tenant, establishing its headquarters there for its New York-based businesses and occupying more than one million square feet.

The signing was announced by Carter McClelland, president of Banc of America Securities and New York market president for Bank of America, and Douglas Durst and Jody Durst, co-presidents of The Durst Organization. The agreement is in escrow, pending various final governmental approvals of funding and other proceedings to facilitate the project.

"More than 500 professionals and staff from more than 70 consulting and professional firms and five law firms have been going full speed on this project for many months, working 60-hour weeks in some cases," Douglas Durst noted. "It's been a colossal effort to ensure a project that will have an enormously beneficial impact on our city's economy."

The 51-story skyscraper will include a variety of leading-edge conservation and environmental advances, from water conservation using rain runoff and gray water recycling, to wind turbines and co-generation of power and cooling.

The building will rise adjacent to The Durst Organization's flagship tower, the Conde Nast Building at Four Times Square, home of the Conde Nast publishing empire and the law firm Skadden, Arps, Slate, Meagher & Flom. One Bryant Park will extend along 42nd Street to Avenue of the Americas, diagonally across from Bryant Park.

Demolition on the site is expected to begin in spring 2004. Occupancy is anticipated for early in 2008, when bank of America will move its associates into the new tower under terms of a 20-year lease.

"By providing an opportunity for one of the world's premiere financial institutions to increase its commitment to New York, One Bryant Park already has made an important contribution to New York and demonstrates to the world the vitality of our city," said the Durst co-presidents in a joint statement. "We look forward to a long, mutually satisfying relationship and to creating not just a spectacular visual experience, but also the most environmentally advanced building possible."

"To say we're excited about our plans to construct a Bank of America tower in the heart of New York would be an understatement," said Mr. McClelland. "This new building symbolizes

our commitment to having a significant, long- term presence in a key business market and the financial capital of the world."

Mr. McClelland added: "We are pleased to be partnering in the project with The Durst Organization, which is well-known in New York for its innovative, environmentally-sensitive approach to building landmark office towers. We're also extremely grateful for the support we have received from the city and state, which has made this major new development possible."

Andrew M. Alper, president of the New York City Economic Development Corporation, commenting on the project's pending approval to use Liberty Bonds as part of its financing package, said One Bryant Park represents "an excellent use of the Liberty Bond Program because it brings jobs and investment to New York City."

"By assisting Bank of America in consolidating its New York City-based employees and creating a global securities trading headquarters in midtown, we help secure the City's position as the premier location for the financial services industry," Mr. Alper added. "This project will have far-reaching beneficial effects for all of New York City."

The architectural firm of Cook + Fox designed One Bryant Park.

Bank of America will provide financing for the construction and permanent loans. The leasing program will be under the direction of Thomas Bow, senior vice president of leasing for The Durst Organization.

Founded in 1915, The Durst Organization is one of New York's oldest and largest privately owned real estate firms, with an office building portfolio comprising more than 6.5 million square feet, excluding One Bryant Park. In addition to its office properties, Durst is developing The Helena, a 500-unit apartment residence on West 57th Street at 11th Avenue, which is expected to open in early 2005.

The Durst Organization is widely recognized as a world leader in the development of technologically advanced and environmentally responsible commercial property. Its flagship tower at Four Times Square has been praised by environmentalists for its many "green" design and operating characteristics. Additional information is available at www.durst.org.

Bank of America is one of the world's largest financial institutions, serving individual consumers, small businesses and large corporations and institutions with a full range of banking, investing, asset management and other financial and risk management products and services. The company provides unmatched convenience for consumers in the United States, serving 1 in 3 American households with 4,200 banking centers, more than 13,100 ATMs and an award-winning Internet site with more than 7 million active online users. Bank of America is rated the number one Small Business Administration Lender in the United States by the SBA. The company has offices in 150 countries and relationships with 94 percent of U.S. Fortune 500 companies and 76 percent of the Global Fortune 500. The 6th most profitable company in the United States, Bank of America had \$737 billion in assets, \$414 billion in deposits and a market capitalization of \$116.2 billion at September 30, 2003. Bank of America Corporation stock (ticker: BAC) is listed on the New York Stock Exchange.

Source: Bank of America; The Durst Organization